

c. In the congressional district described as the third district, there shall be one member with a term of two years and one member with a term of six years.

d. In the congressional district described as the fourth district, there shall be one member with a term of four years and one member with a term of six years.

6. The appointed and elected members from each congressional district shall be gender balanced as provided in section 69.16A.

7. After the initial term is served pursuant to this section, the appointed members shall be appointed to six-year terms as provided in section 46.1, and the elected members shall be elected to six-year terms as provided in section 46.2.

8. If the number of congressional districts established following the 2010 federal decennial census and described in chapter 42<sup>2</sup> is not equal to four, then the procedures set out in this section are void and this section is repealed effective June 30, 2012.

Approved April 8, 2008

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## CHAPTER 1050

### VALIDITY OF TREASURER'S DEEDS — DEFECTS IN NOTICE OF REDEMPTION RIGHTS

*H.F. 2642*

**AN ACT** relating to issuance of a treasurer's deed after expiration of the period of redemption and including an effective and applicability date provision.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 448.3, Code 2007, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In the event that an owner of record or a person in whose name the parcel is taxed establishes that such person was not served with notice of expiration of right of redemption in accordance with section 447.9, then the county treasurer's deed is void, subject to the provisions of sections 448.15 and 448.16. If a person entitled to service of notice under section 447.9, other than an owner of record or a person in whose name the parcel is taxed, establishes that such person was not served with notice in accordance with section 447.9, the deed is not thereby rendered invalid. However, the deed is subject to all of the right and interest of such person not served with notice, as provided in sections 448.15 and 448.16.

Sec. 2. **EFFECTIVE AND APPLICABILITY DATE.** This Act, being deemed of immediate importance, takes effect upon enactment and applies to treasurer's deeds issued on or after that date.

Approved April 8, 2008

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<sup>2</sup> According to enrolled Act; chapter "40" may be intended

**CHAPTER 1051****DISPOSITION OF HUMAN REMAINS —  
AUTHORIZATION AND CONSENT***S.F. 473*

**AN ACT** allowing a competent adult to execute a written instrument designating a person to have sole responsibility and discretion concerning the final disposition of that adult's remains, including coordinating provisions, and providing applicability dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 142.1, Code 2007, is amended to read as follows:

**142.1 DELIVERY OF BODIES.**

The body of every person dying in a public asylum, hospital, county care facility, penitentiary, or reformatory in this state, or found dead within the state, or which is to be buried at public expense in this state, except those buried under the provisions of chapter 144C or 249, and which is suitable for scientific purposes, shall be delivered to the medical college of the state university, or some osteopathic or chiropractic college or school located in this state, which has been approved under the law regulating the practice of osteopathy or chiropractic; but no such body shall be delivered to any such college or school if the deceased person expressed a desire during the person's last illness that the person's body should be buried or cremated, nor if such is the desire of the person's relatives. Such bodies shall be equitably distributed among said colleges and schools according to their needs for teaching anatomy in accordance with such rules as may be adopted by the Iowa department of public health. The expense of transporting said bodies to such college or school shall be paid by the college or school receiving the same. ~~In the event~~ If the deceased person has not expressed a desire during the person's last illness that the person's body should be buried or cremated ~~and should have no relatives that request~~ person authorized to control the deceased person's remains under section 144C.5 requests the person's body for burial or cremation, and if a friend objects to the use of the deceased person's body for scientific purposes, said deceased person's body shall be forthwith delivered to such friend for burial or cremation at no expense to the state or county. Unless such friend provides for burial and burial expenses within five days, the body shall be used for scientific purposes under this chapter.

Sec. 2. Section 144.34, Code 2007, is amended to read as follows:

**144.34 DISINTERMENT — PERMIT.**

Disinterment of a dead body or fetus shall be allowed for the purpose of autopsy or reburial only, and then only if accomplished by a funeral director. A permit for such disinterment and, thereafter, reinterment shall be issued by the state registrar according to rules adopted pursuant to chapter 17A or when ordered by the district court of the county in which such body is buried. The state registrar, without a court order, shall not issue a permit without the consent of the ~~surviving spouse or in case of such spouse's absence, death, or incapacity, the next of kin~~ person authorized to control the decedent's remains under section 144C.5. Disinterment for the purpose of reburial may be allowed by court order only upon a showing of substantial benefit to the public. Disinterment for the purpose of autopsy or reburial by court order shall be allowed only when reasonable cause is shown that someone is criminally or civilly responsible for such death, after hearing, upon reasonable notice prescribed by the court to the ~~surviving spouse or in the spouse's absence, death, or incapacity, the next of kin~~ person authorized to control the decedent's remains under section 144C.5. Due consideration shall be given to the public health, the dead, and the feelings of relatives.

Sec. 3. Section 144.56, Code 2007, is amended to read as follows:

**144.56 AUTOPSY.**

An autopsy or post-mortem examination may be performed upon the body of a deceased